

REMARKS

Claims 29, 35, 37-39 and 41-44 are pending. By this Response, claims 29 and 39 are amended. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

35 U.S.C. §112, First Paragraph Rejection

The Office Action rejects claims 29 and 35 under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. The Office Action alleges that the previous amendments to the claims which changed “computer” to “charging apparatus” and “communication apparatus” in claims 29 and 34 change the interpretation of the claims in such a manner that is not conveyed in the specification. Applicants respectfully submit that the amendments to the claims were made in an attempt to clarify the specific features of the claims. However, in an effort to remove any ambiguities and in order to advance prosecution, applicant has amended the alleged confusing terms such that they now recite “computer” in the same manner as previously prior to the April 1, 2005 Response. Based on these amendments, applicants respectfully submit that the 35 U.S.C. §112, first paragraph issue has been addressed. Accordingly, withdrawal of the rejection is requested.

35 U.S.C. §112, Second Paragraph Rejection

The Office Action alleges that the terminology “said computer” in claims 42, 43 and 44 lacks insufficient antecedent basis. Applicants note that the amendments to independent claims

29 and 34 provide proper antecedent basis for the terminology "said computer" in claims 42, 43 and 44. Accordingly, withdrawal of the rejection is respectfully requested.

Conclusion

Because no prior art rejections have been raised in the Office Action, and the §§112, first and second paragraph rejections have been addressed, the application appears to be in condition for allowance. Accordingly, applicants respectfully request allowance of the application.

Thus, applicants respectfully submit that no issues remain in the pending application. Accordingly, it is respectfully submitted that claims 29, 35, 37-39 and 41-44 are conditioned for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No.: 09/883,938

Docket No.: 0905-0262P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: September 14, 2005

Respectfully submitted,

By 

Michael R. Cammarata

Registration No.: 39,491

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Rd

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant